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BEFORE THE
SURFACE TRANSPORTATION BOARD

EX PARTE NO. 711

PETITION FOR RULEMAKING
TO ADOPT REVISED
COMPETITIVE SWITCHING RULES

STATEMENT OF THE
AMERICAN CHEMISTRY COUNCIL
IN SUPPORT OF THE PETITION

Scott N. Stone
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Counsel for the American
Chemistry Council

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SURFACE TRANSPORTATION BOARD**

**EX PARTE NO. 711,
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**STATEMENT OF THE
AMERICAN CHEMISTRY COUNCIL
IN SUPPORT OF THE PETITION**

The American Chemistry Council (ACC) strongly supports the petition filed by the National Industrial Traffic League (NITL) on July 7, 2011, to begin a rulemaking to consider NITL's proposed standards for granting competitive (reciprocal) switching.

The American Chemistry Council represents the leading companies in the business of chemistry. ACC's 145 member companies apply the science of chemistry to provide innovative products and services that make people's lives better, healthier, and safer. ACC is committed to improved environmental, health, and safety performance through Responsible Care®, to common sense advocacy designed to address major public policy issues, and to health and environmental research and product testing. The business of chemistry is a \$720 billion per year enterprise, a key element of the nation's economy, and one of the nation's

largest exporting sector (chemicals account for 10 cents out of every dollar of U.S. exports). ACC members manufacture a wide array of products and currently depend on the railroads for the safe, efficient, and secure transportation of more than 180 million tons of chemical products each year.

For the reasons stated in NITL's petition, with which we concur, NITL's competitive switching proposal represents a reasonable, workable and predictable standard for granting competitive reciprocal switching. The need for such competitive access was amply demonstrated by the comments and testimony provided to the Board in Ex Parte No. 705, Competition in the Rail Industry.

ACC therefore urges the Board to issue a notice of proposed rulemaking to establish a record for comment on the NITL proposal.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Scott N. Stone', written over a horizontal line.

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